

BLAKELY SOKOLOFF TAYLOR & ZAFMAN

A LIMITED LIABILITY PARTNERSHIP INCLUDING LAW CORPORATIONS

TELEPHONE (408) 720-8300

FACSIMILE (408) 720-8383

BSTZ_MAIL@GSTZ.COM
WWW.BSTZ.COM

INTELLECTUAL PROPERTY LAW

SILICON VALLEY OFFICE

1279 OAKMEAD PARKWAY
SUNNYVALE, CALIFORNIA 94085-4040

OTHER OFFICES

AUSTIN, TX
LOS ANGELES, CA
ORANGE COUNTY/COSTA MESA, CA
SAN DIEGO/LA JOLLA, CA
PORTLAND/LAKE OSWEGO, OR
SEATTLE/KIRKLAND, WA
DENVER/ENGLEWOOD, CO

CONFIDENTIAL

ATTORNEY-CLIENT PRIVILEGED

September 13, 2001

Maher Hawash
2642 NE Aurora Drive
Hillsboro, OR 97124

Re: UNITED STATES PATENT APPLICATION FOR:
"SPEAKER INDEPENDENT VOICE RECOGNITION (SIRV) USING DYNAMIC
ASSIGNMENT OF SPEECH CONTEXTS, DYNAMIC BIASING, AND
MULTI-PASS PARSING" and "COLOR AS A VISUAL CUE IN
SPEECH-ENABLED APPLICATIONS"

Our Ref: 42390.P11780 and 42390.P12154

Dear Mr. Hawash

Enclosed with this letter is a final draft of the above-referenced patent applications, and the legal documents necessary to file the application in the United States Patent and Trademark Office. The legal documents include:

- 1). an **Assignment** to transfer rights, interest, and property in the above-referenced application to Intel Corporation., the assignee of the present invention; and
- 2). a **Declaration and Power of Attorney** to allow the law firm of Blakely, Sokoloff, Taylor, and Zafman, LLP to prosecute the above-referenced application on your behalf before the United States Patent and Trademark Office.

Please review the drafts to ensure that they includes a complete and accurate description of your inventions. If corrections need to be made, or if you mark the final drafts, please notify us immediately, as a new copy of the application, together with new assignment and declaration documents will need to be forwarded for your review and signature.

If you find the applications acceptable, please execute the attached assignment and declaration documents, and return them to our offices as soon as possible, preferably **no later than Monday, September 17, 2001**. If the residence, citizenship, and mailing address fields underneath your name are empty, please insert the appropriate information prior to signing. Please fax the executed documents to 408.720.8383, and mail the signed originals in the enclosed prepaid Fed-Ex envelope provided.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
A LIMITED LIABILITY PARTNERSHIP INCLUDING LAW CORPORATIONS

Maher Hawash
Attorney Docket No.: 42390.P11780
and 42390.P12154
September 13, 2001
Page 2

Signing the enclosed Declaration and Power of Attorney, affirms that you are an actual inventor of the subject matter claimed in the above referenced patent application. United States law defines an inventor as any person who conceived of some aspect of the subject matter recited in the claims. If, based on this definition, you do not believe you are an inventor, or if you believe that one or more other persons should be listed as co-inventors, please notify us immediately, as new documents will need to be prepared for your review and signature.

During your review, please bear in mind that the application must disclose your preferred way of carrying out the invention. If special preferred materials or configurations were not mentioned or described, please bring them to our attention.

It is our understanding that the invention has not been patented or described in a printed publication in this or a foreign country, or in public use or on sale in this country, more than one year prior to the date that we intend to file this application. If you believe otherwise, please inform us as soon as possible.

In closing, please remember your continuing duty to disclose to the Patent and Trademark Office any information you are aware of that is material to the issuance of your patent application. A search of the prior art is not required, but if you know of any printed publications bearing on your invention, such as articles, prior patent applications, etc., please bring them to our attention. The duty to disclose prior art materials is called a continuing duty because it lasts throughout the entire prosecution of your patent application.

Please note that notarization is not necessary if it is not readily available.

We look forward to receiving your response in due course.

Sincerely,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Mark S. Peloquin, Esq.

Mark S. Peloquin, Esq.

MSP/mmp

Encl: Patent Application with Drawings
Assignment
Declaration and Power of Attorney

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
A LIMITED LIABILITY PARTNERSHIP INCLUDING LAW CORPORATIONS

TELEPHONE (408) 720-8300

FACSIMILE (408) 720-8383

BSTZ_MAIL@BSTZ.COM
WWW.BSTZ.COM

INTELLECTUAL PROPERTY LAW

SILICON VALLEY OFFICE

1279 OAKMEAD PARKWAY
SUNNYVALE, CALIFORNIA 94085-4040

OTHER OFFICES

AUSTIN, TX
LOS ANGELES, CA
ORANGE COUNTY/COSTA MESA, CA
SAN DIEGO/LA JOLLA, CA
PORTLAND/LAKE OSWEGO, OR
SEATTLE/KIRKLAND, WA
DENVER/ENGLEWOOD, CO

CONFIDENTIAL
ATTORNEY-CLIENT PRIVILEGED
September 13, 2001

Rohan Coelho
14949 NW West Union
Portland, OR 97229

Re: UNITED STATES PATENT APPLICATION FOR:
"SPEAKER INDEPENDENT VOICE RECOGNITION (SIRV) USING DYNAMIC
ASSIGNMENT OF SPEECH CONTEXTS, DYNAMIC BIASING, AND
MULTI-PASS PARSING" and "COLOR AS A VISUAL CUE IN
SPEECH-ENABLED APPLICATIONS"

Our Ref: 42390.P11780 and 42390.P12154

Dear Mr. Coelho

Enclosed with this letter is a final draft of the above-referenced patent applications, and the legal documents necessary to file the application in the United States Patent and Trademark Office. The legal documents include:

- 1). an **Assignment** to transfer rights, interest, and property in the above-referenced application to Intel Corporation., the assignee of the present invention; and
- 2). a **Declaration and Power of Attorney** to allow the law firm of Blakely, Sokoloff, Taylor, and Zafman, LLP to prosecute the above-referenced application on your behalf before the United States Patent and Trademark Office.

Please review the drafts to ensure that they includes a complete and accurate description of your inventions. If corrections need to be made, or if you mark the final drafts, please notify us immediately, as a new copy of the application, together with new assignment and declaration documents will need to be forwarded for your review and signature.

If you find the applications acceptable, please execute the attached assignment and declaration documents, and return them to our offices as soon as possible, preferably **no later than Monday, September 17, 2001**. If the residence, citizenship, and mailing address fields underneath your name are empty, please insert the appropriate information prior to signing. Please fax the executed documents to 408.720.8383, and mail the signed originals in the enclosed prepaid Fed-Ex envelope provided.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
A LIMITED LIABILITY PARTNERSHIP INCLUDING LAW CORPORATIONS

Rohan Coelho
Attorney Docket No.: 42390.P11780
and 42390.P12154
September 13, 2001
Page 2

Signing the enclosed Declaration and Power of Attorney, affirms that you are an actual inventor of the subject matter claimed in the above referenced patent application. United States law defines an inventor as any person who conceived of some aspect of the subject matter recited in the claims. If, based on this definition, you do not believe you are an inventor, or if you believe that one or more other persons should be listed as co-inventors, please notify us immediately, as new documents will need to be prepared for your review and signature.

During your review, please bear in mind that the application must disclose your preferred way of carrying out the invention. If special preferred materials or configurations were not mentioned or described, please bring them to our attention.

It is our understanding that the invention has not been patented or described in a printed publication in this or a foreign country, or in public use or on sale in this country, more than one year prior to the date that we intend to file this application. If you believe otherwise, please inform us as soon as possible.

In closing, please remember your continuing duty to disclose to the Patent and Trademark Office any information you are aware of that is material to the issuance of your patent application. A search of the prior art is not required, but if you know of any printed publications bearing on your invention, such as articles, prior patent applications, etc., please bring them to our attention. The duty to disclose prior art materials is called a continuing duty because it lasts throughout the entire prosecution of your patent application.

Please note that notarization is not necessary if it is not readily available.

We look forward to receiving your response in due course.

Sincerely,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Mark S. Peloquin, Esq.

Mark S. Peloquin, Esq.

MSP/mmp

Encl: Patent Application with Drawings
Assignment
Declaration and Power of Attorney

Attorney's Docket

No.: 42390P11780 (For Execution Prior To Filing Patent Application)

A S S I G N M E N T

PATENT

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, We, the undersigned, Michael Payne, Karl Allen, Rohan Coelho, and Maher Hawash,

hereby sell, assign, and transfer to Intel Corporation

a corporation of Delaware, having a principal place of business at

2200 Mission College Blvd., Santa Clara, California 95052, ("Assignee"), and its successors, assigns, and legal representatives, the entire right, title, and interest for the United States and all foreign countries, in and to any and all improvements that are disclosed in the application for the United States patent that has been executed by the undersigned prior hereto or concurrently herewith on the dates indicated below and is entitled SPEAKER INDEPENDENT VOICE RECOGNITION (SIRV) USING DYNAMIC ASSIGNMENT OF SPEECH CONTEXTS, DYNAMIC BIASING, AND MULTI-PASS PARSING

and in and to said application and all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions, and all other patent applications that have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original patents, reissued patents, reexamination certificates, and extensions, that have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States application;

agree that said Assignee may apply for and receive a patent or patents for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns, and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney, and other papers; communicate to said Assignee, its successors, assigns, and representatives all facts known to the undersigned relating to said improvements and the history thereof; and generally assist said Assignee, its successors, assigns, or representatives in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements, and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns, and legal representatives; and

covenant with said Assignee, its successors, assigns, and legal representatives that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Each Inventor: Please Sign and Date Below:

9/19, 2001

Date

Name: Michael J. Payne

_____, 20____

Date

Name: Karl Allen

_____, 20____

Date

Name: Rohan Coelho

_____, 20____

Date

Name: Maher Hawash

_____, 20____

Date

Name:

_____, 20____

Date

Name:

Each Inventor: Please also list the date that you signed the accompanying DECLARATION AND POWER OF ATTORNEY:

9/19, 2001

Date

_____, 20____

Date

State of: _____

Assignment Document Return Address:

} SS. BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

County of: _____

12400 Wilshire Blvd., Seventh Floor

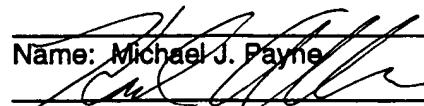
Los Angeles, CA 90025-1026

(408) 720-8598

On this _____ day of _____ 20____, before me, _____,
the undersigned Notary Public, personally appeared _____
[] personally known to me [] proved to me on the basis of satisfactory evidence to be the
person(s) whose name(s) _____ subscribed to the within instrument, and acknowledged
that _____ executed it.

WITNESS my hand and official seal.

Notary's Signature

Each Inventor: Please Sign and Date Below:		Each Inventor: Please also list the date that you signed the accompanying DECLARATION AND POWER OF ATTORNEY:
<hr/> Date	<hr/> Name: Michael J. Payne	<hr/> Date
<u>Sept 18</u> , 20 <u>01</u> Date		<u>Sept 18</u> , 20 <u>01</u> Date
<hr/> Date	<hr/> Name: Karl Allen	<hr/> Date
<hr/> Date	<hr/> Name: Rohan Coelho	<hr/> Date
<hr/> Date	<hr/> Name: Maher Hawash	<hr/> Date
<hr/> Date	<hr/> Name:	<hr/> Date
<hr/> Date	<hr/> Name:	<hr/> Date

State of: _____ } Assignment Document Return Address:
 County of: _____ } SS. BLAKELY, _____
 _____, _____, _____
 _____, _____, _____
 _____, _____, _____
 _____, _____, _____

On this _____ day of _____ 20_____, to
 the undersigned Notary Public, personally appeared
 _____ personally known to me _____ proved to me on
 person(s) whose name(s) _____ subscribed to
 that _____ executed it.
 WITNESS my hand and official seal.

Notarization is not
 necessary if it is not
 readily available

 Notary's Signature

Attorney's Docket No.: 42390P11780

PATENT

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
(FOR INTEL CORPORATION PATENT APPLICATIONS)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SPEAKER INDEPENDENT VOICE RECOGNITION (SIVR) USING DYNAMIC ASSIGNMENT OF SPEECH CONTEXTS, DYNAMIC BIASING, AND MULTI-PASS PARSING

the specification of which

X is attached hereto.
— was filed on (MM/DD/YYYY) _____ as
United States Application Number _____
or PCT International Application Number _____
and was amended on (MM/DD/YYYY) _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority
Claimed

(Number)	(Country)	(Foreign Filing Date - MM/DD/YYYY)	Yes	No
(Number)	(Country)	(Foreign Filing Date - MM/DD/YYYY)	Yes	No
(Number)	(Country)	(Foreign Filing Date - MM/DD/YYYY)	Yes	No

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

Application Number	(Filing Date – MM/DD/YYYY)
Application Number	(Filing Date – MM/DD/YYYY)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	(Filing Date – MM/DD/YYYY)	Status -- patented, pending, abandoned
Application Number	(Filing Date – MM/DD/YYYY)	Status -- patented, pending, abandoned

I hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to James H. Salter, BLAKELY, SOKOLOFF, TAYLOR &
(Name of Attorney or Agent)
ZAFMAN LLP, 12400 Wilshire Boulevard 7th Floor, Los Angeles, California 90025 and direct
telephone calls to James H. Salter, (408) 720-8300.
(Name of Attorney or Agent)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

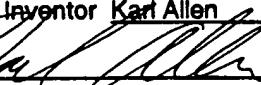
Full Name of Sole/First Inventor Michael J. Payne

Inventor's Signature _____ Date _____

Residence Beaverton, OR (City, State) Citizenship USA (Country)

Post Office Address 8035 SW 160th Avenue, Beaverton, OR 97007

Full Name of Second/Joint Inventor Karl Allen

Inventor's Signature  Date Sept 18, 2001

Residence Portland, OR (City, State) Citizenship USA (Country)

Post Office Address 3732 SW Docsh Court, Portland, OR 97221

Full Name of Third/Joint Inventor Rohan Coelho

Inventor's Signature _____ Date _____

Residence _____ (City, State) Citizenship _____ (Country)

Post Office Address _____

I hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to James C. Salter, **BLAKELY, SOKOLOFF, TAYLOR & (Name of Attorney or Agent)**
ZAFMAN LLP, 12400 Wilshire Boulevard 7th Floor, Los Angeles, California 90025 and direct telephone calls to James C. Salter, (408) 720-8300.
(Name of Attorney or Agent)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Michael J. Payne

Inventor's Signature _____ Date _____

Residence Beaverton, OR Citizenship USA
(City, State) (Country)

Post Office Address 8035 SW 160th Avenue, Beaverton, OR 97007

Full Name of Second/Joint Inventor Karl Allen

Inventor's Signature  Date Sept 18, 2001

Residence Portland, OR Citizenship USA
(City, State) (Country)

Post Office Address 3732 SW Docsh Court, Portland, OR 97221

Full Name of Third/Joint Inventor Rohan Coelho

Inventor's Signature _____ Date _____

Residence _____ Citizenship _____
(City, State) (Country)

Post Office Address _____

Full Name of Third/Joint Inventor Maher Hawash

Inventor's Signature _____ Date _____

Residence _____ Citizenship _____
(City, State) (Country)

Post Office Address _____

APPENDIX A

William E. Alford, Reg. No. 37,764; Farzad E. Amini, Reg. No. 42,261; William Thomas Babbitt, Reg. No. 39,591; Carol F. Barry, Reg. No. 41,600; Jordan Michael Becker, Reg. No. 39,602; Lisa N. Benado, Reg. No. 39,995; Bradley J. Bereznak, Reg. No. 33,474; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; R. Alan Burnett, Reg. No. 46,149; Gregory D. Caldwell, Reg. No. 39,926; Thomas M. Coester, Reg. No. 39,637; Donna Jo Coningsby, Reg. No. 41,684; Florin Corie, Reg. No. 46,244; Mimi Diemmy Dao, Reg. No. 45,628; Dennis M. deGuzman, Reg. No. 41,702; Stephen M. De Klerk, Reg. No. 46,503; Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Justin M. Dillon, Reg. No. 42,486; Sanjeev Dutta, Reg. No. 46,145; Matthew C. Fagan, Reg. No. 37,542; Tarek N. Fahmi, Reg. No. 41,402; Thomas S. Ferrill, Reg. No. 42,532; George Fountain, Reg. No. 37,374; James Y. Go, Reg. No. 40,621; James A. Henry, Reg. No. 41,064; Libby N. Ho, Reg. No. 46,774; Willmore F. Holbrow III, Reg. No. 41,845; Sheryl Sue Holloway, Reg. No. 37,850; George W Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; William W. Kidd, Reg. No. 31,772; Sang Hui Kim, Reg. No. 40,450; Walter T. Kim, Reg. No. 42,731; Eric T. King, Reg. No. 44,188; George Brian Leavell, Reg. No. 45,436; Kurt P. Leyendecker, Reg. No. 42,799; Gordon R. Lindeen III, Reg. No. 33,192; Jan Carol Little, Reg. No. 41,181; Robert G. Litts, Reg. No. 46,876; Julio Loza, Reg. No. P47,758; Joseph Lutz, Reg. No. 43,765; Michael J. Mallie, Reg. No. 36,591; Andre L. Marais, Reg. No. P048,095; Paul A. Mendonsa, Reg. No. 42,879; Clive D. Menezes, Reg. No. 45,493; Chun M. Ng, Reg. No. 36,878; Thien T. Nguyen, Reg. No. 43,835; Thinh V. Nguyen, Reg. No. 42,034; Robert B. O'Rourke, Reg. No. 46,972; Daniel E. Ovanezian, Reg. No. 41,236; Kenneth B. Paley, Reg. No. 38,989; Gregg A. Peacock, Reg. No. 45,001; Marina Portnova, Reg. No. 45,750; William F. Ryann, Reg. 44,313; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Jeffrey S. Schubert, Reg. No. 43,098; George Simion, Reg. No. P47,089; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Judith A. Szepesi, Reg. No. 39,393; Edwin H. Taylor, Reg. No. 25,129; John F. Travis, Reg. No. 43,203; Joseph A. Twarowski, Reg. No. 42,191; Mark C. Van Ness, Reg. No. 39,865; Tom Van Zandt, Reg. No. 43,219; Brent E. Vecchia, Reg. No. P48,011; Lester J. Vincent, Reg. No. 31,460; Archana B. Vittal, Reg. No. 45,182; Glenn E. Von Tersch, Reg. No. 41,364; John Patrick Ward, Reg. No. 40,216; Mark L. Watson, Reg. No. 46,322; Thomas C. Webster, Reg. No. 46,154; and Norman Zafman, Reg. No. 26,250; my patent attorneys, and Firasat Ali, Reg. No. 45,715; and Raul Martinez, Reg. No. 46,904, my patent agents, of BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, and Alan K. Aldous, Reg. No. 31,905; Ben Burge, Reg. No. 42,372; Richard C. Calderwood, Reg. No. 35,468; Paul W. Churilla, Reg. No. P47,495; Jeffrey S. Draeger, Reg. No. 41,000; Cynthia Thomas Faatz, Reg. No. 39,973; John N. Greaves, Reg. No. 40,362; Seth Z. Kalson, Reg. No. 40,670; David J. Kaplan, Reg. No. 41,105; John Kacvinsky, Reg. No. 40,040; Peter Lam, Reg. No. 44,855; Charles A. Mirho, Reg. No. 41,199; Paul Nagy, Reg. No. 37,896; Leo V. Novakoski, Reg. No. 37,198; Thomas C. Reynolds, Reg. No. 32,488; Kenneth M. Seddon, Reg. No. 43,105; Mark Seeley, Reg. No. 32,299; Steven P. Skabrat, Reg. No. 36,279; Howard A. Skaist, Reg. No. 36,008; Steven C. Stewart, Reg. No. 33,555; Gene I. Su, Reg. No. 45,140; Calvin E. Wells, Reg. No. P43,256, Raymond J. Werner, Reg. No. 34,752; Robert G. Winkle, Reg. No. 37,474; Sharon Wong, Reg. No. 37,760; Steven D. Yates, Reg. No. 42,242; and Charles K. Young, Reg. No. 39,435; my patent attorneys, and Michael J. Nesheiwat, Reg. No. P47,819, my patent agent of INTEL CORPORATION; and James R. Thein, Reg. No. 31,710, my patent attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

APPENDIX B

Title 37, Code of Federal Regulations, Section 1.56
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.